

## AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

### Listing of Claims:

1. (CURRENTLY AMENDED) ~~Seed of~~ A seed of a soybean variety cultivar designated SO22218 wherein a representative sample of seed was deposited under ATCC Accession No. \_\_\_\_\_ Accession No. PTA-7288.

2. (CURRENTLY AMENDED) A soybean plant, ~~or parts or a part thereof~~, of variety soybean cultivar SO22218, wherein a representative sample of seed of said variety ~~having been~~ cultivar was deposited under ATCC Accession No. \_\_\_\_\_ Accession No. PTA-7288.

3. (ORIGINAL) Pollen of the plant of claim 2.

4. (ORIGINAL) An ovule of the plant of claim 2.

5. (CURRENTLY AMENDED) A tissue culture of regenerable cells produced from the plant of claim 2.

6. (CURRENTLY AMENDED) ~~A tissue~~ The tissue culture according to claim 5, wherein said ~~cell or a protoplast~~ cells of the tissue culture ~~is derived~~ are produced from a ~~tissue plant part~~ selected from the group ~~consisting of:~~ consisting of leaves, pollen, embryos, ~~cotyledon~~ cotyledons, hypocotyl, meristematic cells, roots, root tips, anthers, flowers, pistils, seeds, stems and pods.

7. (CURRENTLY AMENDED) A soybean plant regenerated from the tissue culture of claim 5, wherein the regenerated plant ~~is capable of expressing all~~ has all of the morphological and physiological characteristics of soybean cultivar SO22218 and wherein a representative sample of seed was deposited under ATCC Accession No. \_\_\_\_\_ Accession No. PTA-7288.

8. (ORIGINAL) A method for producing a hybrid soybean seed comprising crossing a first parent soybean plant with a second parent soybean plant and harvesting the resultant hybrid soybean seed, wherein said first parent soybean plant or said second parent soybean plant is the soybean plant of claim 2.

9.-19. (CANCELED)

20. (CURRENTLY AMENDED) A method for producing a soybean plant that contains in its genetic material a transgene, comprising crossing the soybean plant of claim 2 with ~~a soybean plant containing a transgene~~ either a second plant of another soybean cultivar which contains a transgene or a transformed soybean plant of soybean cultivar SO22218, so that the genetic material of the progeny that result from the cross contains a transgene operably linked to a regulatory element wherein said transgene confers a trait selected from the group consisting of herbicide resistance, insect resistance, and disease resistance.

21. – 22. (CANCELED)

23. (NEW) A method of producing a soybean plant with modified fatty acid metabolism or modified carbohydrate metabolism wherein the method comprises transforming the soybean plant of claim 2 with a transgene encoding a protein selected from the group consisting of fructosyltransferase, levansucrase,  $\alpha$ -amylase, invertase, and starch branching enzyme or encoding an antisense of stearyl-ACP desaturase.

24. (NEW) A soybean plant having modified fatty acid metabolism or modified carbohydrate metabolism produced by the method of claim 23.

25. (NEW) A method of introducing a desired trait into soybean cultivar SO22218 wherein the method comprises:

- (a) crossing SO22218 plants, grown from seed deposited under ATCC Accession No. PTA-7288, with plants of another soybean cultivar that comprise a desired trait to produce progeny plants, wherein the desired trait is selected from the group consisting of herbicide resistance, insect resistance, modified fatty acid metabolism, modified carbohydrate metabolism, and resistance to bacterial, fungal or viral disease;
- (b) selecting one or more progeny plants that have the desired trait to produce selected progeny plants;
- (c) crossing the selected progeny plants with SO22218 plants to produce backcross progeny plants;

(d) selecting for backcross progeny plants that have the desired trait and physiological and morphological characteristics of soybean cultivar SO22218 to produce selected backcross progeny plants; and  
(e) repeating steps (c) and (d) three or more times in succession to produce selected fourth or higher backcross progeny plants that comprise the desired trait and all of the physiological and morphological characteristics of soybean cultivar SO22218 as described in the VARIETY DESCRIPTION INFORMATION.

26. (NEW) A soybean plant produced by the method of claim 25, wherein the plant has the desired trait and all of the physiological and morphological characteristics of soybean cultivar SO22218 as described in the VARIETY DESCRIPTION INFORMATION.

27. (NEW) The soybean plant of claim 26, wherein the desired trait is herbicide resistance and the resistance is conferred to an herbicide selected from the group consisting of imidazolinone, sulfonylurea, glyphosate, glufosinate, L-phosphinothricin, triazine, and benzonitrile.

28. (NEW) The soybean plant of claim 26, wherein the desired trait is insect resistance and the insect resistance is conferred by a transgene encoding a *Bacillus thuringiensis* endotoxin.

29. (NEW) The soybean plant of claim 26, wherein the desired trait is modified fatty acid metabolism or modified carbohydrate metabolism and said desired trait is conferred by a nucleic acid encoding a protein selected from the group consisting of fructosyltransferase, levansucrase,  $\alpha$ -amylase, invertase, and starch branching enzyme or encoding an antisense of stearyl-ACP desaturase.

30. (NEW) A method of producing a male sterile soybean plant wherein the method comprises transforming the soybean plant of claim 2 with a nucleic acid molecule.

31. (NEW) A male sterile soybean plant produced by the method of claim 30.

32. (NEW) A protoplast produced from the plant of claim 2.

33. (NEW) A protoplast produced from the tissue culture of claim 5.

34. (NEW) A soybean plant regenerated from the protoplast of claim 32, wherein the regenerated plant has all of the morphological and physiological characteristics of soybean cultivar SO22218 and wherein a representative sample of seed was deposited under ATCC Accession No. PTA-7288.

35. (NEW) A soybean plant regenerated from the protoplast of claim 33, wherein the regenerated plant has all of the morphological and physiological characteristics of soybean cultivar SO22218 and wherein a representative sample of seed was deposited under ATCC Accession No. PTA-7288.